

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

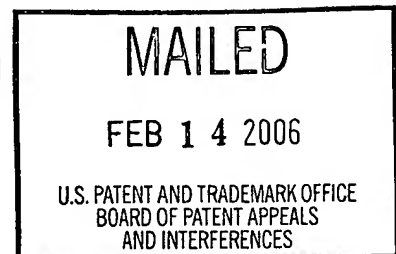
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*Ex parte* RUSSELL MUMPER and  
MICHAEL JAY

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Application 10/072,320

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on January 19, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:


On December 27, 2005, appellants filed a Reply Brief. There is no indication on the record that this paper was considered by the examiner.

Accordingly, it is

ORDERED that the instant application be electronically returned to the examiner to:

- (1) consider the Reply Brief;
- (2) written notification to appellants of said consideration; and
- (3) for such action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
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